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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/725,821  | 12/01/2003  | Sharon Devereaux     | PA2670US            | 3605             |
| 22830   | 7590        | 11/29/2005           | EXAMINER            |                  |
| CARR & FERRELL LLP<br>2200 GENG ROAD<br>PALO ALTO, CA 94303 |             |                      | LOCKETT, KIMBERLY R |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2837                |                  |

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/725,821             | DEVEREAUX ET AL.    |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Kim R. Lockett         | 2837                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 31 August 2005.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-19 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

|  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/31/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

**DETAILED ACTION*****Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsui (4433605).

Matsui discloses a system and method for mounting and adjusting the height of a bridge or tailpiece component to an instrument body comprising an insert comprising a plate and a threaded aperture portion and configured to be coupled to the instrument body (see figure 6), a mounting stud comprising a top portion and a threaded lower portion, the threaded bottom lower portion of the insert being positioned in the aperture portion of the insert , where the mounting stud clamps and mounts the component in position between the top portion of the top portion of the mounting stud and the plate (see figures 4 and 8).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 9, and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui in view of MacCarty.

Matsui does not disclose the specific use of an adjustment screw.

MacCarty discloses the use of a system and method for mounting and adjusting the height of a bridge or tailpiece component to an instrument body comprising an insert comprising a plate (23) and a threaded aperture portion and configured to be coupled to the instrument body (see figure 6), a mounting stud comprising a top portion and a threaded lower portion, and an adjustment screw, the adjustment screw configured to be positioned in an adjustment screw hole of the component to laterally position the component relative to the insert and mounting stud (see figure 4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mounting device as disclosed by Matsui with the screw as disclosed by MacCarty in order to provide an efficient means of mounting an instrument.

4. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui in view of MacCarty and Leslie.

Matsui and MacCarty do not disclose the use of a grommet.

Leslie discloses the use of a mounting system that uses a grommet (93) positioned between a screw and a mounting body.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mounting device as disclosed by Matsui with the screw as disclosed by MacCarty and the grommet as disclosed by Leslie in order to provide a reinforcement means for mounting a component.

6. Claim11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsui.

Matsui does not disclose the specific use of a square shaped plate. However, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mounting device as disclosed by Matsui with a square shaped plate in order to provide a mounting surface for a component since it has been held that where the only difference between the prior art and the claims was a recitation of relative dimensions of the claimed device and a device having the claimed relative devices would perform differently than the prior art device, the claimed device was not patentably distinct from the prior art device

7. Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Group 2800 via the PTO 2800 Fax Center at 703-872-9306.

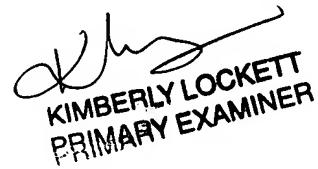
For assistance in **Patent procedure, fees or general Patent questions** calls should be directed to the **Patents Assistance Center (PAC)** whose

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**telephone number is 800-786-9199.** Assistance is also available on the Internet at [www.uspto.gov](http://www.uspto.gov).

Any inquiry concerning **this communication or earlier communications from the examiner** should be directed to **Kim Lockett whose telephone number is (571) 272-2067.** The examiner can normally be reached on Tuesday through Friday from 6:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (571) 272-2107.



KIMBERLY LOCKETT  
PRIMARY EXAMINER